

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA

DAVID AGOSTINO,)
)
Plaintiff,)
)
v.) Civil Action No. 08-1527
)
)
COLLIER TOWNSHIP,)
)
Defendant.)

O R D E R

AND NOW, this 17 th day of May, 2010, after the plaintiff, David Agostino, filed an action in the above-captioned case, and after a motion for summary judgment was submitted by defendant, Collier Township, and after a Report and Recommendation was filed by the United States Magistrate Judge granting the parties fourteen days after being served with a copy to file written objections thereto, and upon consideration of the objections filed by plaintiff and the response to those objections filed by defendant, and upon independent review of the motion and the record, and upon consideration of the Magistrate Judge's Report and Recommendation (Docket No. 44), which is adopted as the opinion of this Court,

IT IS ORDERED that defendant's motion for summary judgment (Docket No. 31) is granted.

IT IS FURTHER ORDERED that pursuant to Rule 4(a)(1) of the Federal Rules of Appellate Procedure if the plaintiff desires to appeal from this Order he must do so within thirty (30) days by

filling a notice of appeal as provided in Rule 3, Fed. R. App. P. 3.

Dorothy F. Annasce

United States District Judge